

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

UNITED STATES OF AMERICA

v.

APRIL LYNN GEARHART,
a/k/a RENO

INDICTMENT

Case No. _____

Violations: 21 U.S.C. §§ 846 and 853; and
18 U.S.C. §§ 1957 and 2

COUNT ONE

**Conspiracy to Distribute and Possess with Intent to Distribute
a Controlled Substance (500 grams or more – mixture)**

The Grand Jury Charges:

From in or about December 2016 through the date of this Indictment, the exact
dates unknown to the grand jury, in the District of North Dakota, and elsewhere,

APRIL LYNN GEARHART,
a/k/a RENO,

knowingly and intentionally combined, conspired, confederated, and agreed with others,
both known and unknown to the grand jury, to distribute and possess with intent to
distribute 500 grams or more of a mixture and substance containing a detectable amount
of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United
States Code, Sections 841(a)(1) and 841(b)(1)(A)(viii), and Title 18, United States Code,
Section 2.

Overt Acts

In furtherance of this conspiracy and to effect and accomplish the objects of it, one or more of the conspirators committed the following overt acts:

1. It was a part of said conspiracy that the conspirator and others would and did distribute and possess with intent to distribute methamphetamine, a Schedule II controlled substance, in Williston, North Dakota, and elsewhere;
2. It was further a part of said conspiracy that on or about November 1, 2018, APRIL LYNN GEARHART, a/k/a RENO, knowingly engaged and attempted to engage in a monetary transaction, affecting interstate and foreign commerce, in criminally derived property, of a value greater than \$10,000.00, to wit: the purchase of a 2019 Buick Encore, Coppertone color, Vehicle Identification Number (VIN) KL4CJGSM2KB744459, with United States currency in the amount of \$30,000.00, from Williston Motors LLC, DBA Williston Auto, located in Williston, North Dakota, such property having been derived from specified unlawful activity, to wit: Distribution of a Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1), and Conspiracy to Distribute a Controlled Substance, in violation of Title 21, United States Code, Section 846;
3. It was further a part of said conspiracy that one or more of the conspirators attempted to conceal their activities;
4. It was further part of said conspiracy that one or more of the conspirators did use United States currency in their drug transactions;

5. It was further a part of said conspiracy that one or more of the conspirators collected drug proceeds in the form of United States currency;

6. It was further a part of said conspiracy that one or more of the conspirators did use telecommunication facilities, including cellular telephones, to facilitate the distribution of methamphetamine; and

7. It was further a part of said conspiracy that one or more conspirators traveled between the states of North Dakota and Nevada and elsewhere, to obtain, transport, and distribute methamphetamine;

In violation of Title 21, United States Code, Section 846, and Title 18, United States Code, Section 2; Pinkerton v. United States, 328 U.S. 640 (1946).

COUNT TWO

**Engaging in a Monetary Transaction in Property Derived from Specified Unlawful Activity
(Money Laundering)**

The Grand Jury Further Charges:

On or about November 1, 2018, in the District of North Dakota,

APRIL LYNN GEARHART,
a/k/a RENO,

knowingly engaged and attempted to engage in a monetary transaction, by, through, and to a financial institution, affecting interstate and foreign commerce, in criminally derived property, of a value greater than \$10,000.00, to wit: the purchase of a 2019 Buick Encore, Coppertone color, Vehicle Identification Number (VIN) KL4CJGSM2KB744459, with United States currency in the amount of \$30,000.00, from Williston Motors LLC, DBA Williston Auto, located in Williston, North Dakota, such property having been derived from specified unlawful activity, to wit: Distribution of a Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1), and Conspiracy to Distribute a Controlled Substance, in violation of Title 21, United States Code, Section 846;

In violation of Title 18, United States Code, Section 1957.

FORFEITURE ALLEGATION

The Grand Jury Further Finds Probable Cause That:

As a result of committing the controlled substance offense alleged in Count One of the Indictment, defendant APRIL LYNN GEARHART, a/k/a RENO, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the violations and any and all property used or intended to be used in any manner or part to commit or to facilitate the commission of the violations alleged in Count One of the Indictment, including but not limited to the following:

- A 2019 Buick Encore, Coppertone color, Vehicle Identification Number (VIN) KL4CJGSM2KB744459.

Further, the United States will seek a money judgment for the total amount of proceeds. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred to, sold to, or deposited with a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of APRIL LYNN GEARHART, a/k/a RENO, up to the value of the above-listed forfeitable property;

In violation of Title 21, United States Code, Section 853.

A TRUE BILL:

/s/ Grand Jury Foreperson
Foreperson

/s/ Drew H. Wrigley
DREW H. WRIGLEY
United States Attorney

JJO/kt